

DEBORAH M. SMITH
Acting United States Attorney

DANIEL R. COOPER, JR.
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, # 9, Rm. 253
Anchorage, Alaska 99513-7567
(907) 271-5071 - Phone
(907) 271-2344 - Fax
daniel.cooper@usdoj.gov

Attorneys for Defendant/Third Party Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

FAIRBANKS INVESTORS, INC.,)

Plaintiff,)

v.)

UNITED STATES DEPARTMENT OF)
AGRICULTURE, FARM SERVICE)
AGENCY,)

Defendant.)

UNITED STATES OF AMERICA)

Third Party Plaintiff,)

v.)

LYALL BRASIER *aka* LYALL R.)
BRASIER, JR. *aka* LYALL RAYMOND)
BRASIER, JR. and JEANETTE BRASIER)

Case No. 4:05-cv-23-RRB

**AFFIDAVIT FOR
CLARIFICATION ON
CERTIFICATE OF
SERVICE
ON FAIRBANKS
INVESTORS, INC.**

aka JEANETTE E. BRASIER *aka*)
JEANETTE ELAINE BRASIER,)
Husband and Wife; VANDER)
WEELE FARMS; and FAIRBANKS)
INVESTORS, INC.,)
)
Third Party Defendants.)

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

K. Joy McCulloch, being first duly sworn, deposes and says:

1. I am a Legal Assistant to Daniel R. Cooper, Jr., an Assistant United States Attorney for the Third Party Plaintiff, United States of America, in the above-entitled action.
2. On May 25, 2006, I filed the Motion for Entry of Default Against Fairbanks Investors, Inc. by electronic filing with the District Court. (Docket No. 12)
3. After filing the document and stating on the Certificate of Service that John J. Burns was electronically served, I realized that he is not registered with CM/ECF.

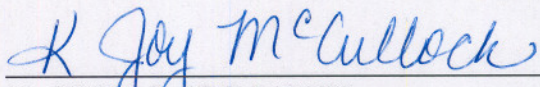
4. I did on the same day, copy the Motion, added a handwritten note to the Certificate of Service, "mailed 5/26/06" and placed the copy of the Motion in the U. S. Mail for service addressed as follows:

John J. Burns
Borgeson & Burns
100 Cushman Street, Suite 311
Fairbanks, AK 99701

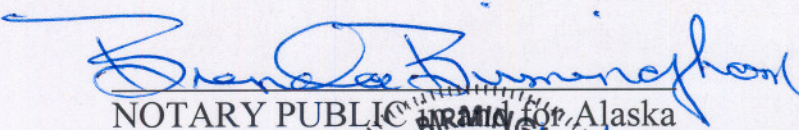
See attached Exhibit A.

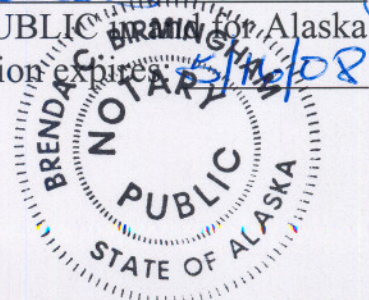
5. Mr. Burns called the U. S. Attorneys Office on May 30, 2006, and acknowledged that he received the Motion for Entry of Default. He wanted to talk to Mr. Cooper, but he was out of the office the week of May 29, 2006 to June 2, 2006.

FURTHER AFFIANT SAYETH NAUGHT.


K. JOY McCULLOCH

SUBSCRIBED AND SWORN TO before me this 6th day of June, 2006,
in Anchorage, Alaska.


NOTARY PUBLIC for Alaska
My commission expires 5/12/08



CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2006,
a copy of the foregoing Affidavit for Clarification
on Certificate of Service on Fairbanks
Investors, Inc. was served
electronically on Barry W. Jackson and by
U. S. Mail on:

John J. Burns
Borgeson & Burns
100 Cushman Street, Suite 311
Fairbanks, AK 99701

s/ Daniel R. Cooper, Jr.